

ORDINANCE NO. 20091119-092

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4710 EAST 5TH STREET IN THE GOVALLE NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-CO-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2009-0083, on file at the Planning and Development Review Department, as follows:

A 0.4957 acre tract of land, more or less, out of the J.C. Tannehill Survey No, 29, Abstract No. 22, Travis County, and being the same property more particularly described by metes and bounds in a Warranty Deed recorded under Document No. 2006119299, Official Public Records of Travis County, Texas (the "Property"),

locally known as 4710 East 5th Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

PART 2. Except as specifically provided in Part 3 and Part 4 of this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district, the mixed use combining district, and other applicable requirements of the City Code.

PART 3. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. Development of the Property may not exceed one residential unit.
- B. A residential unit may not exceed a height of 32 feet from ground level.

C. A residential unit may not exceed a height of two stories.

D. The following uses of the Property are prohibited uses:

- Adult oriented businesses
- Campground
- Kennels
- Laundry services
- Pawn shop services
- Residential treatment
- Vehicle storage

E. The following uses of the Property are conditional uses:

1) Agricultural sales and services

- Automotive rentals
- Automotive repair services
- Automotive sales
- Automotive washing (of any type)
- Building maintenance services
- Construction sales and services
- Commercial off-street parking
- Equipment sales
- Limited warehousing and distribution

2) Drive-in service as an accessory use to a commercial use

PART 4. The Property is subject to Ordinance No. 030327-11a that established the Govalle neighborhood plan combining district.

PART 5. This ordinance takes effect on November 30, 2009.

PASSED AND APPROVED

_____, November 19, 2009 §
 §
 § Lee Leffingwell
 Lee Leffingwell
 Mayor

APPROVED: David Allan Smith **ATTEST:** Shirley A. Gentry
 David Allan Smith Shirley A. Gentry
 City Attorney City Clerk



This map has been produced by GIS Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.